

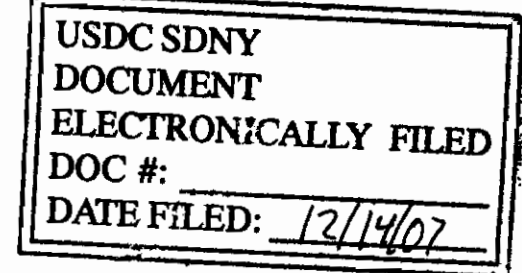
**GOLDBERG RIMBERG & FRIEDLANDER PLLC**

*Attorneys at Law*  
115 BROADWAY - 3RD FLOOR  
NEW YORK, NEW YORK 10006  
Tel: (212) 697-3250 x349  
Fax: (866) 651-3196 (Direct)

December 13, 2007

VIA FACSIMILE

Hon. Denny Chin  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007



Re: United States v. Stephen Michael Levy  
07-Cr-00680 (DC)

Dear Judge Chin:

On December 11, 2007, I was the CJA attorney on duty. During the course of the day, I was assigned to 6 new matters. When I returned to my office later that evening, there was a voice mail message from Mr. Michael Kushner, Esq. advising me that he had been relieved in this matter and that I had been appointed, in absentia, to represent the defendant herein.

In addition to the 6 other CJA cases that were assigned to me on December 11, 2007, I am also carrying approximately 8 other active CJA cases, as well as my own private caseload. Feeling a bit overwhelmed, I telephoned the CJA Clerk and was advised that a CJA attorney may elect to decline a duty day assignment where that attorney has already been appointed to 5 new cases on the duty day. Although I have never before elected to decline a new assignment on this or any other ground, I am concerned that my active caseload will make it extremely difficult for me to give the defendant in this case the proper attention he deserves. Accordingly, I respectfully request permission to decline the assignment in this matter at this time.

In light of the above, I respectfully request that different CJA counsel be appointed to undertake the representation in this matter.

*Application GRANTED.  
The CJA lawyer on  
duty today will be*

Respectfully submitted,

*[Signature]*  
Joseph A. Grob

cc: AUSA Adam Sean Hickey (Via Facsimile)

*assigned. so ORDERED.*  
*[Signature]*  
WJD 12/14/07